

# MAINE STATE LEGISLATURE

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(NEW DRAFT)

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EIGHTY-SECOND LEGISLATURE

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S. P. No. 528

S. D. No. 227

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In Senate, March 16, 1925.

Reported by Senator Clarke from Committee on Legal Affairs and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

Presented by Senator Holley of Somerset.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-FIVE

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AN ACT to Amend Chapter Twenty of the Revised Statutes  
Relating to Apothecaries and the Sale of Poisons.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. Section seven of chapter twenty of the revised  
2 statutes is hereby amended by inserting after the word  
3 "commissioners" in the fourteenth line thereof the follow-  
4 ing words: 'No such certificate shall be issued unless the  
5 applicant is at least twenty-one years of age, of good moral  
6 character, a citizen of the United States, and has had a  
7 general education, including at least two years at a high  
8 school or its equivalent'; so that said section as amended  
9 shall read as follows:

'Sect. 7. Examination and Certification of Apothecaries;  
2 Certificates Issued to Persons Registered in Other States;  
3 Certificates Shall Be Displayed. Every person not already  
4 registered, entering on the business of an apothecary, upon  
5 the payment of the fee of ten dollars, to the secretary of  
6 said board, except as hereinafter provided, shall be exam-  
7 ined by said commissioners, and shall present to them sat-  
8 isfactory evidence that he has been an apprentice, or em-  
9 ployed in an apothecary store where physicians' prescrip-  
10 tions are compounded, at least four years; or has gradu-  
11 ated from some regularly incorporated medical college or  
12 college of pharmacy and has been employed in such an  
13 apothecary store for at least one year, and is competent for  
14 the business; the commissioners may give him a certificate  
15 of that fact and that he is authorized to engage in the busi-  
16 ness of an apothecary, and such certificate must be signed  
17 by at least two commissioners. No such certificate shall  
18 be issued unless the applicant is at least twenty-one years  
19 of age, of good moral character, a citizen of the United  
20 States, and has had a general education, including at least  
21 two years at a high school or its equivalent. In case the  
22 result of the examination is unsatisfactory, and no certifi-  
23 cate is granted, the applicant shall have the right to another  
24 examination without charge, after an interval of two months,  
25 and within twelve months after the date of his first exam-  
26 ination. The board may, in its discretion, grant certificates  
27 of registration to such persons as shall furnish with their

28 application satisfactory proof that they have been regis-  
29 tered by examination in some other state; provided that  
30 such other state shall require a degree of competency equal  
31 to that required of applicants in this state. Only one of  
32 the partners in a firm need be a registered druggist, pro-  
33 vided, the partner who compounds medicines be registered.  
34 All certificates issued under the provisions of this chapter  
35 shall be constantly displayed, in a conspicuous place, in  
36 the store or shop of the persons to whom the same were  
37 issued.'

Sect. 2. Section sixteen of chapter twenty of the revised  
2 statutes as amended by chapter six of the public laws of  
3 nineteen hundred and twenty-one is hereby amended by in-  
4 serting after the word "paper" in the twentieth line thereof  
5 the words 'or white paper and red printing,' and by inserting  
6 after the word "poison" in the thirty-fourth line thereof  
7 the words 'and the name of an antidote or antidotes if any.'  
8 so that said section as amended shall read as follows:

'Sect. 16. Sale of Poisonous Drugs Without Prescription  
2 Regulated. Whoever sells arsenic, arsenious acid, atropia,  
3 or any of its salts, chloral hydrate, chloroform, cotton root  
4 and its fluid extract, Fowler's solution, corrosive sublimate,  
5 cyanide of potassium, Donovan's solution, ergot and its  
6 fluid extract, sugar of lead, oil of savin, oil of tansy, Par-  
7 sons' vermin exterminator, phosphorus, prussic acid, Rough  
8 on Rats, strychnia or any of its salts, tartar emetic, tincture

9 of aconite, tincture of belladonna, tincture of digitalis, tinc-  
10 ture of nux vomica, tincture of veratrum viride, crystals of  
11 carbolic acid or a strong solution of carbolic acid without  
12 the written prescription of a physician shall keep a record  
13 of such sales, the name and quantity of the article sold  
14 and the name and residence of the person or persons to  
15 whom it was delivered, which record shall be made before  
16 the article was delivered and shall be open to inspection  
17 by any member of the board of commissioners of phar-  
18 macy, or by any inland fish and game warden, or by the  
19 police authorities and the officers of cities and towns. Who-  
20 ever neglects to keep or refuses to show to said officers such  
21 record shall be punished by fine not exceeding fifty dollars.  
22 Whoever sells any of the poisonous articles named in this  
23 section without the written prescription of a physician, shall  
24 affix to the bottle, box or wrapper containing the article  
25 sold a label of red paper or white paper and red printing,  
26 upon which shall be printed in large letters the word  
27 "poison" and also the word "antidote" and the name and  
28 place of business of the vendor. The name of an antidote,  
29 if there be any for the poison sold, shall also be upon the  
30 label. Every neglect to affix such label to such poisonous  
31 article sold before the delivery thereof to the purchaser  
32 shall be punished by a fine not exceeding fifty dollars. Who-  
33 ever purchases poisons as aforesaid and gives a false or fic-  
34 titious name to the vendor shall be punished by fine not  
35 exceeding fifty dollars. But nothing in this section shall be

36 construed to apply to wholesale dealers or to manufactur-  
37 ing chemists in their sales to retail trade, nor to the general  
38 merchant, nor to a firm or corporation in trade, who may  
39 sell in unbroken packages prepared by the manufacturers,  
40 Paris green, London purple or other poisonous preparations  
41 or compounds used for the destruction of bugs, beetles, in-  
42 sects, slugs, grubs, caterpillars or worms. Upon each and  
43 every package so sold shall be printed in large letters the  
44 word "poison," and the name of an antidote or antidotes if  
45 any. Every neglect to affix such label with the word  
46 "poison" thereon to such poisonous article before the de-  
47 livery thereof to the purchaser shall be punished by fine  
48 not exceeding fifty dollars.'